

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

Plaintiff,

V.

GEORGIA-PACIFIC, LLC

Defendant.

CIVIL ACTION NO. 1:09-cv-429

HON. PAUL L. MALONEY
Chief United States District Judge

NOTICE OF LODGING OF CONSENT DECREE

Plaintiff, the United States of America, by and through the undersigned attorneys, respectfully lodges the accompanying proposed Consent Decree with this Court.

- a. The United States, on behalf of the Administrator of the United States Environmental Protection Agency (“EPA”), has on May 13, 2009, filed a Complaint in this action pursuant to Sections 106(a), 107(a) and 113(g)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”), as amended, 42 U.S.C. §§ 9607(a), 9613(g)(2), injunctive relief, past costs and a declaratory judgment for future costs to be incurred by the United States in connection with a disposal area at the Allied Paper/Portage Creek/Kalamazoo River Superfund Site in Kalamazoo and Portage Counties, Michigan.
- b. The United States and the Defendant have entered into, and the United States has lodged with this Court, the accompanying proposed Consent Decree which would resolve the claims in the Complaint. The proposed Consent Decree would, inter alia, require the Defendant to: (i) perform the remedy selected by EPA for the disposal

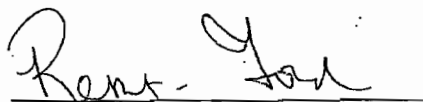
area; (2) pay the United States \$225,509.91 for past response costs incurred by EPA in connection with the disposal area; and (3) pay the United States' future costs of overseeing the implementation of the clean up.

- c. In accordance with Department of Justice policy and 28 C.F.R. 50.7, the United States will publish notice of the lodging of the proposed Consent Decree in the Federal Register to commence a thirty (30)-day public comment period.
- d. The Court should not sign the proposed Consent Decree until the public has had an opportunity to comment and the United States has addressed those comments, if any.
- e. The United States may withhold its consent to the proposed Consent Decree if the comments disclose facts or considerations which indicate that the proposed Consent Decree is improper, inappropriate, inadequate, or not in the public interest.
- f. At the conclusion of the public comment period, the United States will (i) file with the Court any written comments that it received pertaining to the proposed Consent Decree; and (ii) either notify the Court of its withdrawal of the proposed Consent Decree, or respond to comments received and request this Court to sign and enter the proposed Consent Decree.

Respectfully submitted,

JOHN C. CRUDEN
Acting Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

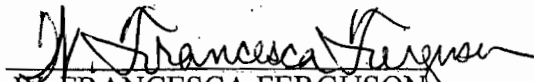
Date: 5/9/09



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Date: 5/18/09



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